

~~Copies of any documentation on which the contractor intends to rely to support its position shall be included with the request.~~

~~(2) After receiving a request meeting the above criteria, the secretary or his designee will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than ninety days after a properly completed request is received unless both parties agree in writing to a specified later date.~~

~~(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate. The contractor shall provide to the department in advance of the conference any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than twenty eight days after the initial session unless both parties agree in writing to a specific later date.~~

~~(4) A written decision by the secretary will be furnished to the contractor within sixty days after the conclusion of the conference.~~

~~(5) If the contractor desires review of an adverse decision of the secretary, it shall within twenty eight days following receipt of such decision file a written application for an adjudicative proceeding. The proceeding is governed by chapter 34.05 RCW, the Administrative Procedure Act.))~~ For all nursing facility medicaid payment rates effective on or after July 1, 1995, and for all audits completed and settlements issued on or after July 1, 1995, regardless of what periods the payment rates, audits, or settlements may cover, the department shall establish in rule, consistent with federal requirements for nursing facilities participating in the medicaid program, an appeals or exception procedure that allows individual nursing care providers an opportunity to submit additional evidence and receive prompt administrative review of payment rates with respect to such issues as the department deems appropriate.

Sec. 116. 1995 c 260 s 12 (uncodified) is amended to read as follows:

Sections 7 through 11 of this act shall take effect ((January)) July 1, 1996.

1 Sec. 117. RCW 70.128.120 and 1995 c 260 s 5 are each amended to
2 read as follows:

3 An adult family home provider shall have the following minimum
4 qualifications:

5 (1) Twenty-one years of age or older;

6 (2) Good moral and responsible character and reputation;

7 (3) Literacy;

8 (4) Management and administrative ability to carry out the
9 requirements of this chapter;

10 (5) Satisfactory completion of department-approved initial training
11 and continuing education training as specified by the department in
12 rule;

13 (6) Satisfactory completion of department-approved, or equivalent,
14 special care training before a provider may provide special care
15 services to a resident;

16 (7) Not been convicted of any crime listed in RCW 43.43.830 and
17 43.43.842; and

18 (8) Effective July 1, 1996, registered with the department of
19 health.

20 NEW SECTION. Sec. 118. If any part of this act is found to be in
21 conflict with federal requirements that are a prescribed condition to
22 the allocation of federal funds to the state, the conflicting part of
23 this act is inoperative solely to the extent of the conflict and with
24 respect to the agencies directly affected, and this finding does not
25 affect the operation of the remainder of this act in its application to
26 the agencies concerned. The rules under this act shall meet federal
27 requirements that are a necessary condition to the receipt of federal
28 funds by the state.

29 NEW SECTION. Sec. 119. If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

33 NEW SECTION. Sec. 120. This act is necessary for the immediate
preservation of the public peace, health, or safety, or support of the

- 1 state government and its existing public institutions, and shall take
- 2 effect July 1, 1995.

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